

In regard to the claim rejections, Applicants point out that the U.S. filing date of the asserted reference Akita is July 21, 2003, after the Japanese priority dates of the present application, which are August 26, 2002, and November 1, 2002. Therefore, the rejection under § 102, and the rejection under § 103, which is based, at least in part, on Akita, can be overcome by filing a sworn or certified translation of the Japanese priority applications, JP 2002-244971 and JP 2002-319504, as provided for in 37 C.F.R. § 1.55 and MPEP § 201.15. Accordingly, Applicants are submitting herewith certified translations of the priority documents of the present application, *i.e.*, JP 2002-244971 and JP 2002-319504. In view of the perfected priority in regard to the present application, Applicant respectfully submits that the Akita reference is not prior art with respect to the present application and, thus, the §§ 102 and 103 rejections are obviated and should be withdrawn.

Applicants note that although the substituent X in Claim 1 is erroneously defined as “linear alkyl” in JP 2002-244971, the substituent is correctly defined as alkylene in JP 2002-319504.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Application No. 10/646,710

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick F. Gallagher", written over a horizontal line.

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